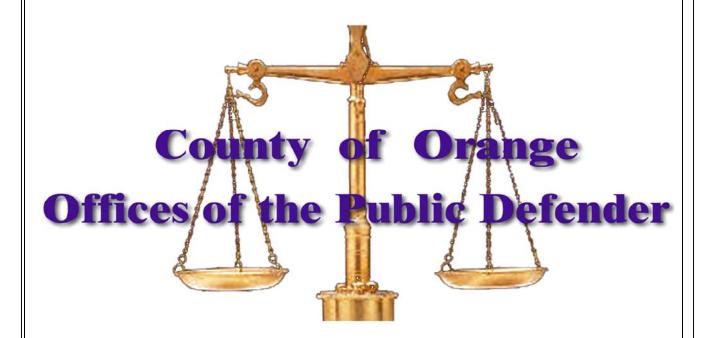
The Price of Freedom is Eternal Vigilance



# Business Plan 2004

PROVIDING HIGH QUALITY
COST- EFFECTIVE LEGAL SERVICES
TO THE INDIGENT OF ORANGE COUNTY



# OFFICES OF THE PUBLIC DEFENDER 2004 BUSINESS PLAN

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#### I. Executive Summary

#### Mission Statement:

The mission of the Offices of the Public Defender is to provide high quality legal representation to clients in a cost-effective manner.

Various people who come before the courts are entitled to have counsel appointed to represent them because they lack the resources to hire an attorney. These include defendants in criminal cases, persons before the court in Mental Health cases, minors charged in Juvenile Court cases, and parents appearing in Dependency Court. The Offices of the Public Defender are dedicated to preserving the constitutional and legal rights of these persons, thereby protecting those important rights for all County residents.

To this end the department provides high quality legal representation in a cost-effective manner to approximately 70,000 clients annually. A staff of approximately 384 dedicated, highly qualified, hard working employees who believe in this ideal strive to achieve the highest level of protection for these clients and to provide the best legal representation they can. This is the mission of the Offices of the Public Defender, delivered in an ethical and responsible manner.

#### Summary:

The year 2004 presents a variety of opportunities and challenges for the department. Preparing a business plan is a continuing challenge because the department faces serious budget constraints and operates in a justice system that regularly experiences restructuring and reform. Nevertheless, the Offices of the Public Defender are prepared to adjust to the dynamics that lie ahead.

The leadership of the Board of Supervisors and the County Executive Office has transformed County government by making it more responsible and responsive. The County is committed to partnership with the community to provide quality services to county residents through initiatives that focus on leadership, performance, technology, the workforce, and the corporate approach. Developing a useful and meaningful Business Plan for the department is an important component in that approach.

The Business Plan explains the nature of the work done in the department, identifies those in the community served by this agency, and explains the roles of the three separate units (Public Defender's Office, Alternate Defender's Office, and Associate Defender's Office). It focuses on core goals and on strategies developed to achieve those goals. The goals recognize the distinct nature of the clients served by the Offices of the Public Defender, the unique nature of the work done in each section, and the need to provide quality representation to all clients. The Business Plan also addresses issues, challenges, and trends the department faces such as limited funding, changes in drug courts and the Proposition 36 program, domestic violence courts, homeless court, new legislation, population growth, the developing community court, and the current state of the economy.

#### The goals for the Offices of the Public Defender for the year 2004:

- Enforce and protect the constitutional rights, privileges and freedoms of individuals by providing the highest quality legal advocacy for all clients in the Criminal Courts of Orange County.
- Advocate and protect the rights of individuals by ensuring that they are treated fairly and equitably in the Mental Health Courts of Orange County.
- Provide high quality representation for clients with drug and alcohol cases in the courts of Orange County.
- Advocate the parental rights of clients by providing high quality legal representation in dependency cases.

#### **II. Mission and Goals**

#### Mission Statement:

The mission of the Offices of the Public Defender is to provide high quality legal representation to clients in a cost-effective manner.

If a person accused of a crime is financially unable to hire a lawyer, the law requires the appointment of counsel for that person. In addition to defendants in criminal cases, counsel is also appointed to represent minors in Juvenile Court cases, parents in dependency cases, and a variety of persons in mental health cases. The right to counsel in criminal cases arises under the Sixth Amendment to the United States Constitution, and similar provisions of the California Constitution. California statutes require the appointment of the Public Defender to represent indigent persons who are entitled to representation. The principal role of the Offices of the Public Defender is the protection of these rights and liberties, consistent with the mission of the Offices of the Public Defender of providing high quality legal representation to clients in a cost-effective manner. In advancing the cause of these clients, the dedicated lawyers and support staff are on the front lines protecting the precious rights and privileges of everyone in Orange County. Effective law enforcement also includes exonerating those who are not guilty, and respecting and enforcing the constitutional rights of the populace – those who stand accused in court and those who do not.

#### Overview:

Almost all cases come to the Public Defender through court-appointment to represent clients whom the court determines are financially unable to employ counsel. In some locations the court refers defendants who are not in custody to private lawyers who may take the case for a reduced fee, and only appoints the Public Defender if the defendant is unable to secure the services of a private lawyer. Lawyers in the Offices of the Public Defender represent persons who are accused of criminal conduct, whose mental health has become an issue for the courts, or whose parental rights are at issue.

The major categories of cases which account for nearly all clients are criminal cases, juvenile delinquency, child dependency cases, and mental health cases. Clients come from all over the county and are represented by staff attorneys in the North Justice Center, West Justice Center, Central Justice Center, Newport Beach facility and Laguna Niguel facility of the Harbor Justice Center, and the Lamoreaux Justice Center.

The Offices of the Public Defender consist of three independent units. The Main office handles most of the indigent cases arising in the locations listed above. The Alternate Defender unit handles clients in criminal cases whom the main unit cannot represent due to conflicts of interest (such as multiple defendants charged in the same case). The Associate Defender unit handles a small number of homicide cases that the main unit cannot handle due to a conflict of interest. The separate units save the county

more than \$7 million annually by not having the conflict cases handled by more expensive court-appointed private counsel.

In recent years felony filings have been rising steadily while the number of less costly misdemeanor case filings has gone up at a slower rate. The year 2003 saw continuing increases in both felony and misdemeanor cases, likely due to the effects of population growth in Orange County (in part the "echo boom"), and the continuing effects of a struggling economy.

According to demographics experts at California State University, Fullerton the County population of people 18 to 24 years of age will steadily increase from about 270,000 in the year 2000 to about 350,000 in the year 2010, an annual increase of about 3%. A majority of adult clients come from this age group. If the percentage of people within this group and the juvenile group who are accused of crimes remains constant, the overall numbers will increase at the same rate as the population growth. Thus we can expect caseloads to increase at about the same rate.

In recent years specialized programs have been established to deal with the root causes of crime, and these programs reduce recidivism. These programs, which tend to consume more attorney time per case, include the several drug courts operating in the county, the Proposition 36 felony court, the domestic violence courts operating in the Central Justice Center and the Laguna Niguel facility of the Harbor Justice Center, and the newly created Homeless Court which operates at various shelters in Santa Ana. The Sexually Violent Predator law has created another relatively new area where significant amounts of resources are required. Other changes in the law over the past several years have added new crimes (such as gang related crimes), increased punishment for crimes already on the books (three-strikes law), and otherwise raised sentences clients face. These and other developments increase the need for experienced lawyers and additional training.

The Offices of the Public Defender must remain responsive to changes in the law, the restructuring that is occurring within the Justice System, and budget concerns, while continuing to focus on the needs of the individual client. It is a dynamic situation that is often outside the immediate control of the department, but one that the department is constantly assessing and addressing.

#### **Budget Impact:**

The Public Defender is funded primarily from the County General Fund. The department also receives revenue from the state for certain mandated services, from grants and from the collection of fees for Public Defender services as authorized by state statutes. Approximately 93% of the department budget is expended for employee salaries and benefits.

The budget for the State of California continues to experience cutbacks, some of which reduced or eliminated funds designated to counties and cities. The state funded fewer programs during this fiscal crisis. The state also deferred reimbursement of funds

for some mandated functions to future years. Grants have been reduced or eliminated. For many years the Public Defender has depended on state funding as a source of revenue. The State is expected to undergo changes due to the new Governor taking office in November. The department will continue to analyze potential impacts on the Offices of the Public Defender as decisions are made at the state level.

Last year, under the direction of the County Executive Office, the department participated in a multi-phase reduction and rebalancing process which included an analysis of one-time costs and mandated programs. During step 1 of this process the Public Defender returned one-time funding back to the general fund by delaying completion on the Capital Project Case Management System still under design. This delay has had a major impact upon our information technology progress. Because some programs were upgraded while others wait for funding, not all our programs can be run using the same browser. An application will be filed with the CEO for a Candidate Systems Request to upgrade the systems and continue to develop our attorney piece of the Case Management System which includes document scanning.

Additional efforts have been made to improve revenues such as the Public Defender fee collection process by working with staff, probation, and the courts to improve reimbursement for services. Also, the department Labor Management Committee developed and implemented strategies for cost reductions and increased service efficiency.

#### Partnerships:

A program operates within the department called the Circle of Communication. Managers meet regularly as a group and they also meet regularly with their staff to address and resolve issues through these partnerships, with the primary focus on exploring new and innovative ways of doing business and improving efficiency and quality of service.

The Labor-Management Committee process (LMC) is an integral part of the partnership concept and compliments other initiatives aimed at improving departmental performance and work conditions. In 2002 and 2003 the LMC solicited suggestions from all staff on how to address departmental and county-wide cost savings concerns. The LMC worked with management to implement those ideas. Cost savings were identified and resources were reallocated within the budget process. The LMC continued to work throughout the year addressing employee suggestions and issues of concern. Additional members have been added to assure representation by all general employee groups.

The Offices of the Public Defender work collaboratively with a variety of agencies within and outside County Government. The Drug Courts and the Proposition 36 Courts involve cooperation and coordination between the Courts, District Attorney, Public Defender, Probation Department, Health Care Agency, Sheriff, other law enforcement agencies and others. Oversight committees work to facilitate the effectiveness of the Drug Courts and the handling of Proposition 36 cases. Other specialty courts such as the

Domestic Violence Courts, and Homeless Court require collaboration with the Judges, Public Defender, District Attorney, and Probation Department, among others.

The new Homeless Court program involves collaboration between the Courts, District Attorney, Public Defender, Santa Ana City Attorney, Santa Ana Police Department, Health Care Agency, Mental Health Association, Housing and Community Services, Info Link, Public Law Center and a variety of homeless shelter programs, including Mercy House, Salvation Army, Orange County Rescue Mission, Catholic Worker, and St. Vincent de Paul.

The Public Defender continues to work closely with the County Executive Office in the areas of Human Resources and Employee Relations, Budget and Financial Resources, and Information Technology. The department remains an active participant on the Law and Justice Committee made up of various county and city agencies in an effort to reduce duplicative use of data entry resources.

Department lawyers participate in various law-related organizations in the community. These include the California State Bar Association, the Coalition of the Bench and Bar of the State of California, the Orange County Bar Association, the California Public Defender's Association, the California Association for Criminal Justice, the Orange County Mental Health Coalition, and the Constitutional Rights Foundation, where staff attorneys serve as coaches and judges in the Mock Trial program for high school students. Staff participates in community organizations such as the mentoring program at the Pio Pico Elementary School and the United Way charity. The Public Defender also interacts with local Universities and Law Schools.

#### Department Strategic Goals:

1. Enforce and protect the constitutional rights, privileges and freedoms of individuals by providing the highest quality legal advocacy for all clients in the Criminal Courts of Orange County.

Clients represented in the Criminal Courts of Orange County have been accused of criminal conduct which could subject them to incarceration. Some charges are felonies and some are misdemeanors. The Offices of the Public Defender are committed to advocacy on behalf of these clients. The department ensures, monitors, and maintains high quality representation for all clients in the criminal courts while maintaining a high level of efficiency. Training and technology resources remain integral components in enhancing the department's ability to deliver quality representation to our clients.

2. Advocate and protect the rights of individuals by ensuring that they are treated fairly and equitably in the Mental Health Courts of Orange County.

The clients represented by the Mental Health Advocacy section of the Offices of the Public Defender are often those who are most needy in society. The Offices of the Public Defender represent about 4,000 people annually, predominantly the elderly and the infirm, for whom guardianship or involuntary hospitalization is being sought. These

clients are mentally ill, developmentally disabled or otherwise profoundly impaired, and their cases can arise in either a civil context (such as guardianship petitions) or a criminal context (sexually violent predator law, incompetence for trial or Not Guilty by Reason of Insanity).

## 3. Provide high quality representation for clients with drug and alcohol cases in the courts of Orange County.

In November of 2000, Proposition 36 passed with over 60% voting for its approval statewide (61% in Orange County). The purpose of the initiative is to provide drug treatment instead of incarceration for certain non-violent drug offenses. During the first two years in operation many clients successfully completed the drug treatment program tailored to their needs. Adequate funding remains a concern for all agencies involved in the Proposition 36 program, including the Public Defender.

Drug Courts began operating in Orange County in 1995, and currently there are drug courts in every location, including Juvenile Court. The purpose of drug court is similar to that of Proposition 36 – to provide drug treatment instead of incarceration for certain non-violent drug offenders. Some clients are eligible for treatment under Proposition 36 who are not eligible for drug court, and others may be eligible for drug court, but not Proposition 36 treatment. In some locations drug courts are at or near full capacity so it will be a challenge to secure treatment for all eligible clients.

# 4. Advocate the parental rights of clients by providing high quality legal representation in dependency cases.

Clients represented by the Parental Rights unit of the Offices of the Public Defender are parents or other relatives of children who have come under the auspices of the Children and Family Services section of the Social Services Agency. These clients face court intervention in family crises involving their children.

#### Key Outcome Indicator:

The department has developed a Proficiency Index as a measurement tool to assist in analyzing overall department or section performance. The index measures standard criteria throughout the sections of the department and includes standards and guidelines established under the State Bar Guidelines, National Legal Aid and Defender Association Recommendations, and the American Bar Association Guidelines. These include maintaining manageable workloads and measuring the proficiency of tasks performed such as case preparation, investigation, legal research, the attorney-client relationship, courtroom presentation, and case disposition. It is from the criteria and the guidelines that a departmental rating will be quantified. This is not the only tool for evaluating Public Defender services, however. Meaningful review of much of what is done in the department is very subjective, and less quantifiable. For example, while an experienced observer can readily recognize an effective and persuasive final argument, it is almost impossible to attach a *meaningful* number value to it. Measuring the result in the trial itself is of little value because the evidence presented determines the outcome to

a greater degree than the quality of argument. The Proficiency Index is a product of quantifiable criteria considered when determining performance ratings.

The key outcome indicator report is a compilation of the three proficiency index performance ratings. In the year 2003, the department developed the guidelines used in the proficiency index measurement and trained staff regarding implementation and established the baseline rating number for each index. Piloting of the proficiency index occurred during the 2002-03 fiscal year.

Performance Measure	2003 Results	2004 Plan/ Anticipated Results	Year 2005 Plan	How are we doing?
What: Proficiency Index	Establish Index baseline rating number	Index Rating	Index Rating	On target

Why: This internal measurement incorporating the State Bar Guidelines, National Legal Aid and Defender Association Recommendations, and American Bar Association Guidelines allows monitoring of the quality of services provided in all cases by the Public Defender.

#### III. Operational Plan

GOAL 1: Enforce and protect the constitutional rights, privileges and freedoms of individuals by providing the highest quality legal advocacy for all clients in the Criminal Courts of Orange County.

#### Client Profile:

The Public Defender represents indigent individuals accused of criminal conduct where the punishment could lead to incarceration. If a person accused of a crime is financially unable to hire a lawyer, the law requires the appointment of counsel for that person. In acting upon the request for counsel, the court secures a financial declaration from the potential client and determines whether he or she is able to employ counsel. If not, the Public Defender is appointed.

#### Challenges:

Many important challenges involve issues over which the department has little or no control. The number of complex cases filed (capital cases, homicides, three-strikes) is determined by events occurring in the community, and by decisions made in other agencies. Developments in the law often increase the workload and duties of defense lawyers. These include the three-strikes law, legislation to increase punishment for criminal behavior, new laws regarding the admissibility of evidence, the Sexually Violent Predator law, and newly published cases in general. Added effort and ingenuity are needed to meet the demands arising from these factors.

A major challenge is that of reallocating staff resources efficiently and effectively to address increasing work demands, such as increased staff needs in court operations, while paying close attention to budget constraints. The nature of indigent defense work is shifting in several areas. Trials in criminal cases arising in the Laguna Niguel facility of the Harbor Justice Center are conducted in the Newport Beach facility of the Harbor Justice Center. Staff needs at the Laguna Niguel facility are greater due to trial lawyers having to appear in two separate locations, which reduce their efficiency.

An increased number of complex felony cases and continued decentralization of felony case work requires adjustments in how the Public Defender provides services. Workload increases may require additional staffing to maintain the quality of service at its current high standard. Arraignment courts will continue to be monitored and staffing increased if necessary to provide quality services in those courts. Anticipated workload increases also suggest that maintaining sufficient work space will be a constant challenge, particularly in the Civic Center and southern parts of the County where leased space is very expensive. If Building 16 is renovated for use by the Offices of the Public Defender, it will solve many of the work space problems with long-term savings to the county.

The County of Orange faces serious budget issues in 2004-2005. The manner in which the state has dealt with its budget problems in 2002 and 2003 has had a major impact on the County and this department. The Public Defender will not be receiving the state mandated reimbursement money that was anticipated in 2003 and 2004. The state promises to reimburse the County in future years with interest, but in the meantime funds from the County General Fund will be needed to pay for these services. The department will continue to file reimbursement applications.

#### Resources:

The Offices of the Public Defender are primarily funded from the County General Fund. In an effort to defray some of the expense of operating the department, efforts will continue to be made to reduce net county costs. California law permits the collection of fees from clients who have the ability to pay for Public Defender services. Many clients charged with felony offenses have no ability to pay for services. Most of the felony clients who do have the ability to pay and most clients in misdemeanor cases sign a waiver agreement to pay a certain set fee for services, eliminating the need for time-consuming hearings on the issue. The Public Defender continues to participate in the state mandate reimbursement program by submitting reimbursement claims. Due to the state's current fiscal crisis, the reimbursement payment process has been deferred to future years. Payments on state mandates are not expected until 2005. The department continues to receive Trial Court Funding reimbursement from the state and the courts are committed to reimburse the Public Defender as stated in the Memorandum of Understanding (MOU) between the courts and the County. Such reimbursement is vital to the department. The Public Defender will continue to pursue revenue opportunities and seek full cost reimbursement whenever appropriate.

The Public Defender was awarded an \$86,000 grant from the Governor's Office of Criminal Justice Planning under the Vertical Defense of Indigents Program. The purpose of the grant is to provide for the equivalent of one lawyer to spend his or her time representing clients being prosecuted by the District Attorney's "Statutory Rape Vertical Prosecution Unit." The grant period began November 1, 2002 and ended December 31, 2003. The Vertical Defense of Indigents Program is slated to remain active through the year 2005, but the continuing availability of grant funds is not certain in light of state budget constraints.

# Strategies for Enforcement and Protection of Client Rights, Privileges and Freedoms:

The Public Defender strives to ensure the delivery of superior quality representation for all clients while maintaining a high level of efficiency. To achieve this goal, the department intends to monitor and maintain high quality and efficient representation in all courts served by the Public Defender. The department will focus on improvements in the work environment, staffing, training, and the use of technology.

The Public Defender will continue to work toward securing and renovating Building 16, Civic Center Plaza, in Santa Ana, to be utilized as office space for the Offices of the Public Defender. The department has requested support through the capital project process as a County Strategic Priority. If approved and completed, the use of this facility will result in continuous department lease cost savings in that leased space in nearby private office buildings will no longer be needed. Although there are initial costs for reconstruction and build-out, the long-term lease savings would offset the associated costs over a 10-13 year period. The savings would permit reallocating resources toward maintaining adequate lawyer staff and support staff to help meet this goal.

The department analyzed and will continue to monitor compliance with relevant State Bar guidelines, National Legal Aid and Defender Association Recommendations, and American Bar Association guidelines and work to maintain or attain compliance. The department will utilize the Performance Incentive Program (P.I.P.) to enhance personnel development and evaluate staff resources to ensure quality, yet efficient representation for clients. The goal is to maximize productivity and reward increased competency under the guidelines of the County's initiative. Managers in the Offices of the Public Defender participate in the Management Performance Plan (M.P.P.) which is designed to assist managers in developing long-range goals to achieve planned strategies as well as to enhance managerial skills in all areas of management. The felony-training program will continue to accommodate the changes in the law. To meet these challenges the department will continue to provide training to staff members to increase the knowledge and skill level of assigned lawyers and support staff. Training will be provided to develop the less experienced lawyers and support staff so they can effectively handle felony cases in the future. The department will continue to monitor the training of staff personnel to enhance their effectiveness and efficiency and arrange for staff attendance at such training. In evaluating staff performance supervising attorneys and support staff supervisors will focus in part on identifying areas in which additional training would be useful, and then later analyzing staff performance to determine whether improvements have been made. The department will continue to keep records of in-house training.

The department will continue to maintain appropriate technological hardware and software to enable all staff to more efficiently and effectively advance the interests of the clients. The department has limited resources available to increase or upgrade technology because of county budget constraints. Last year the department agreed to defer the purchase of new items to future years and elected to return to the County a portion of the Candidate Systems Project funds in an effort to help save resources. This money had been set aside to continue the development and implementation of the case management system. As a result of returning funds earmarked for this project a problem arose between programming and browser compatibility. The department will submit an application to the CEO for a new Candidate Systems Request to complete the program needed for the final phase of the case management system.

The department has been and remains committed to seeking alternative revenue sources as well as pursuing collection of Public Defender fees. The Public Defender in collaboration with the Probation Department and Juvenile Court has reassessed Public Defender fees charged to clients and streamlined the billing process to make the fee collection system more efficient.

#### **Outcome Indicator Reporting:**

The Public Defender Criminal Case Proficiency Index is one internal tool used to measure overall performance in a quantitative manner of all criminal cases handled in the office. Other evaluations of performance use criteria that do not lend themselves to numerical quantification.

Performance	2003 Results	2004 Plan/	Year 2005	How are we
Measure		Anticipated	Plan	doing?
		Results		_
What:	Establish	Index Rating	Index Rating	On target
Proficiency	Index			
Index	baseline			
	rating number			

Why: This internal measurement incorporating the State Bar Guidelines, National Legal Aid and Defender Association Recommendations, and American Bar Association Guidelines allows monitoring of the quality of services provided in all cases by the Public Defender.

GOAL 2: Advocate and protect the rights of individuals by ensuring that they are treated fairly and equitably in the Mental Health Courts of Orange County.

#### Client Profile:

The clients whose cases are handled by the Mental Health Advocacy section are some of the people most in need of legal representation. The lawyers working in that section represent about 4,000 Orange County residents annually, predominantly the elderly and the infirm, in circumstances where guardianship and/or conservatorship may be warranted. These are non-criminal cases where hospitalized mentally ill, developmentally disabled, or under-functioning persons in need of assistance appear before the courts. Many of these cases involve clients hospitalized indefinitely whose cases can last a lifetime.

A separate client group includes persons charged with crimes where the client has been found to be incompetent to stand trial due to a psychiatric condition, adjudicated as a mentally disordered offender, or found not guilty by reason of insanity.

Another client group includes those individuals subjected to proceedings seeking continued institutionalization under the Sexually Violent Predator law. They are individuals who have completed serving their sentences under criminal law but whom have been designated as needing further in-custody treatment by the Department of Corrections.

#### Challenges:

Representation of individuals who are not always rational or communicative raises unique issues for advocacy. Medical and psychiatric issues inherent in this caseload make the use of experts both illuminating and legally necessary. Some clients who wish a self-determinative voice lack the ability to communicate their desires or the rationality to cogently express that voice. Advocating the desires of these clients requires diligent lawyers with the patience, empathy and training to handle clients with challenging medical and psychiatric circumstances. Counsel is the advocate for the patient/client, and as such is mandated to articulate the client's desire and to be the client's voice in the courtroom.

An additional factor contributing to the mental health workload is that many clients serviced by this section of the office remain "clients" for their entire lives. Many of the physical and/or mental disabilities that give rise to these clients' need for Public Defender services are with them throughout their lifetimes.

A pilot program is being considered by the courts that may require Public Defender presence in medical facilities, away from the courts, on a more frequent basis. This program proposes having many hearings currently done in court take place before hearing officers within the hospitals instead. These hospitals are located throughout the county and hearings in different facilities would often be calendared at the same time. These hearings, currently consolidated in one court, will be calendared in 16 separate facilities around the county. Additionally, clients who do not prevail at these facility hearings will have an absolute right to a writ (re-hearing in court) which will mean that a portion of the cases will continue to be heard in court. Thus, little attorney time will be saved in court, but much more Public Defender time will be needed to handle the hearings at the 16 separate facilities widely dispersed throughout the county. This program, if implemented, will significantly impact the mental health unit by requiring additional attorney staff and possibly support staff to handle these hearings in diverse locations. If this program is implemented the department will analyze staffing needs and request additional positions necessary to maintain representation for these clients.

Clients charged under the Sexually Violent Predator law face continuing two-year commitment petitions, potentially for the rest of their lives, and certainly during years of treatment. This presents a challenge to the Public Defender in that new cases are added annually but rarely subtracted.

#### Resources:

Many mental health cases are specifically eligible for state mandated reimbursement for County costs of representation. Reimbursement has been delayed however, with the state promising to make payments with interest in future years. The Public Defender maintains records and submits reports to ensure full cost recovery reimbursement from state mandated mental health reimbursement programs. Improvements in the method of tracking work on reimbursable cases have been

implemented to ensure the recovery of the maximum allowable level of non-County funding for mental health defense. Grants available in this area will be sought.

#### Mental Health Advocacy Strategies:

Mental health advocacy is a unique area of the law. Lawyers assigned to this unit represent a vast array of clients and deal with a variety of issues. Adequacy of placement and treatment are often as important as legal issues. For many clients a deputy public defender is his or her only voice in the system or in the community. The clients are, for the most part, the elderly, the disabled, the mentally ill and the infirm that have become the benevolent castaways of society. Our duty is to advocate for them and to be their conduit to have a voice of self-determination in the legal and/or medical process. This often requires not only lawyers advocating in the courtroom but staff geared to effectively seek out, and advocate for, the client's treatment and placement needs both within the health care network and the courts.

Mental health representation involves many legal issues not seen in any other section of the Offices of the Public Defender. These areas require specified training for even our most experienced attorneys when they enter this section. Laws rarely used in a criminal context govern many aspects of these cases. It is also necessary to train attorneys in the unique area of advocacy where the client is incapable of expressing his or her wishes. Staff must be trained in effective client relations with a client group that contains profoundly disabled and mentally ill individuals.

A part of representing clients within this group is advocating alternative placements to assure proper treatment and the least restrictive adequate placement for those confined within the mental health system. This requires unique knowledge of the available placements and detailed knowledge of the various psychiatric medications and their effects. It is often necessary to secure expert intervention to assist in advocating for alternative placements to assure proper treatment and placement in the least restrictive care for those confined in the mental health system.

#### **Outcome Indicator Reporting:**

Performance Measure	2003 Results	2004 Plan/ Anticipated Results	Year 2005 Plan	How are we doing?
What: Proficiency Index	Establish Index baseline rating number	Index Rating	Index Rating	On target

Why: This internal measurement incorporating the State Bar Guidelines, National Legal Aid and Defender Association Recommendations, and American Bar Association Guidelines allows monitoring of the quality of services provided in all cases by the Public Defender.

# GOAL 3: Provide high quality representation for clients with drug and alcohol cases in the courts of Orange County.

#### a) Proposition 36:

#### Client Profile:

Persons eligible to participate in Proposition 36 treatment are specified in Penal Code section 1210. They are primarily drug-addicted people who plead or are found guilty of drug possession or of being under the influence of drugs. Treatment is not available for persons convicted of selling drugs or possessing drugs for purposes of sale.

Proposition 36 clients have varying levels of treatment needs, ranging from residential treatment, a relatively intense level of treatment, to out-patient treatment. Relapse is often a part of recovery, and the level of treatment can change in response to those needs. Proposition 36 clients sometimes need counseling and assistance to improve other aspects of their lives such as housing, employment and education.

Some clients receiving treatment through Proposition 36 also suffer from mental illness. Treatment for the most impaired of these individuals is only effective if it is tailored to the unique circumstances of the "dual diagnosis" situation they are in. A specialized program within Proposition 36 has been developed through the collaborative process involving the Judiciary, the Health Care Agency, Probation Department, Public Defender, District Attorney, and other agencies.

#### Challenges:

Training staff on continuing developments in the relatively new law is a constant challenge. Implementation of Proposition 36 involved collaboration between the courts and several agencies, including the District Attorney, Public Defender, Probation Department, Health Care Agency, Sheriff, other law enforcement agencies and others. This was done while continuing to work with other agencies to maintain the existing drug courts and by adding staff to meet needs arising from implementation of Proposition 36. Efforts must continue in 2004 to maintain expertise on Proposition 36 law for all lawyers who handle cases that may come under those statutory provisions.

Several thousand people are being treated annually under Proposition 36, and the level of addiction is greater than anticipated. It is a challenge to secure appropriate treatment for each person in need given the funding constraints under which the system operates. The challenge of effectively treating Proposition 36 clients who also suffer from significant mental illness is being addressed by working with the judiciary and other agencies in a specialized program established to deal with the particular needs of these clients. These and other issues will require attention and it is anticipated that challenges can be met as they arise if adequate funding is available.

#### Resources:

Proposition 36 is state funded, and the department and the District Attorney's Office each receive \$200,000 from those funds for fiscal year 2003-2004. Although this is significantly less than the amounts received in the prior fiscal year, most counties receive no Proposition 36 state funding for District Attorney or Public Defender services. The Board of Supervisors approved a general fund allocation of \$335,799 for the District Attorney and \$331,457 for the Public Defender to offset some of the effects of the decrease in state funding for 2003-2004. The rest of the additional cost arising from Proposition 36 continues to be absorbed in the departmental budget. (The equivalent of ten Public Defender lawyers as well as other support staff devote their work time to Proposition 36 cases. Three deputy public defender positions are devoted full time to the Proposition 36 felony report-back court, Department C-58. The remaining additional work generated by Proposition 36 is spread among the many lawyers and support staff working in the adult criminal courts.) Cases for clients eligible for Proposition 36 treatment are given the same level of evaluation and counseling as non-Proposition 36 cases. Additional attention is also given to these clients because they are eligible for treatment under the initiative. Significant additional attorney advisement is needed to adequately familiarize eligible clients about Proposition 36 treatment and the legal ramifications arising from the new law. Many cases that would have been resolved by way of a guilty plea for an indicated sentence (with no further court appearances) now have additional court appearances arising from Proposition 36. Based upon communication between state auditors and staff from the county Health Care Agency, there appears to be resistance from the state to having lawyers from the District Attorney's Office and Public Defender's Office share in state funding for Proposition 36. Most grants for programs such as drug court specifically exclude expenditures for judges, prosecutors and defense attorneys.

#### Strategies to Accomplish Goal Related to Proposition 36:

To accomplish this goal it is important to train staff on Proposition 36 law and developments in the law. The department provides periodic training to familiarize the lawyers with various aspects of Proposition 36, and by working with other agencies to coordinate implementation to enhance its effectiveness. It is also important to continually monitor caseloads and staffing in each assignment relating to Proposition 36 to foresee problems as they arise, and implement staff allocation changes as needed to effectively serve the clients appearing on those cases. Continuity is important to effective representation, so certain lawyers and support staff will be asked to continue to work in Proposition 36 specialized assignments on a relatively long-term basis. Focused training is essential to lawyers and other staff working with Proposition 36 clients.

Overall funding for Proposition 36 treatment is also a concern. The portion of state money allocated to Orange County through the initiative is less than what is needed to provide the treatment contemplated in the initiative. One approach to the funding crisis is to encourage the county lobbyist to seek supplemental state funding for this purpose, and to coordinate the lobbying with other groups who share an interest in effectively treating the root causes of so much criminal activity.

Most challenging is delivering quality services with the limited funding available. The department and the District Attorney each receive \$200,000 from the state for fiscal year 2003-2004 (down from \$621,557 for the department in 2002-2003). The Board of Supervisors added \$335,799 to the District Attorney budget and \$331,457 to the Public Defender budget to replace a portion of the decrease in state Proposition 36 funds. The rest of the additional cost arising from Proposition 36 is absorbed in the departmental budget. Clients appearing in court in any phase of Proposition 36 must have counsel as required by the state and federal constitutions. If Public Defender funding for these cases is not adequately maintained the department will be unable to handle all such cases, and representation for those clients will be shifted to court-appointed private lawyers at significantly higher net county cost.

#### b) Drug Courts:

#### Client Profile:

Persons eligible to participate in drug court are those specified in the Orange County Superior Court Drug Court Standards Manual. These are clients who plead guilty to one or more specified crimes involving personal use or possession of drugs, acknowledge a substance abuse problem, agree to participate in intensive treatment for at least eighteen months, and are found "suitable" for participation. Eligibility also requires, among other things, the absence of a prior record of serious or violent felony convictions, or any prior convictions for drug trafficking, sales, or possession for sale. In 2002 the Drug Court Standards Manual was revised and updated. As part of that process eligibility requirements were modified slightly to remove certain misdemeanor prior convictions from among the factors that bar participation in drug court. The separate question of suitability is determined by the Drug Court Judge, with assistance from the Health Care Agency and Probation Department, and input from defense counsel and prosecutor, in accordance with the standards in the Drug Court Standards Manual.

Drug Court participants need an intense level of treatment, with a high degree of supervision and accountability, and frequent drug testing. Relapse is part of recovery, and graduated sanctions are utilized to motivate clients to succeed. Clients need counseling and assistance to improve other aspects of their lives such as housing, employment and education.

A drug court is being developed for parents with drug addiction problems who have cases in the juvenile court dependency system. Success for these clients will enhance the goal of reunification for those families in crisis.

Societal and cost benefits arise as most clients who succeed in drug court do not return to the criminal justice system with new cases but instead lead productive lives as gainfully employed tax paying citizens. Increased family reunification will also result in conserving county resources. Thus, although difficult to measure precisely, the "investment" in drug court pays dividends in the future.

#### Challenges:

An important aspect of providing quality representation is fully staffing and utilizing the Drug Courts in each jurisdiction. (Drug courts operate in every jurisdiction in the County). In the past in some jurisdictions (North Justice Center and West Justice Center in 2000), the programs were full with no room for additional eligible people, and it was a challenge to secure treatment for persons eligible for drug court in these impacted locations. One way the challenge was met was by streamlining the process for transferring cases from the jurisdiction in which the case arose to the jurisdiction where the client lived, as long as the receiving drug court had a vacancy for that client.

Beginning in 2001 there was a reduction in the number of new drug court participants as many clients previously eligible for drug court instead sought treatment under Proposition 36. The challenge is to maintain viable drug courts because of the high level of success realized in them. One way to meet the challenge and preserve the benefits of drug courts is to further expand the criteria for determining eligibility and suitability for drug court. This department continues to advocate drug court eligibility for all addicted persons who seek treatment and who are not charged with violent offenses.

After more than two years it appears Proposition 36 treatment works for some but not for others. Some unable to succeed in Proposition 36 treatment are being offered an opportunity to participate in the more rigorous drug court, and the number of drug court participants is again rising. By the end of the year 2003 there may be more drug court participants in Orange County than at any time since the passage of Proposition 36.

The drug diversion program is designed to educate people to the dangers of drug use. People who successfully complete the program have their cases dismissed, but many suffer from serious addiction and education alone is ineffective. For some people, recovery can only be accomplished by participation in the more rigorous drug court program. The challenge of convincing persons who have failed in less rigorous programs to seek sobriety through drug court can be met by effective and articulate explanation of the personal gains they can make by succeeding in drug court.

#### Resources:

Staffing drug courts requires the expenditure of resources. The department currently has seven lawyers working part or all of their work hours in a drug court assignment. Other agencies receive funding from various grants, state and federal. Because of restrictions in the terms of these grants this department, the District Attorney, and the judiciary share in only a small portion of those funds (in juvenile court and some reimbursement for costs incurred in sending a representative to drug court conferences).

#### Strategies to Accomplish Goal Related to Drug Courts:

Drug courts are highly collaborative programs. In addition to a committed drug court judge, each drug court requires active participation from the Public Defender, District Attorney, Probation Department, Health Care Agency, Court Administration, and

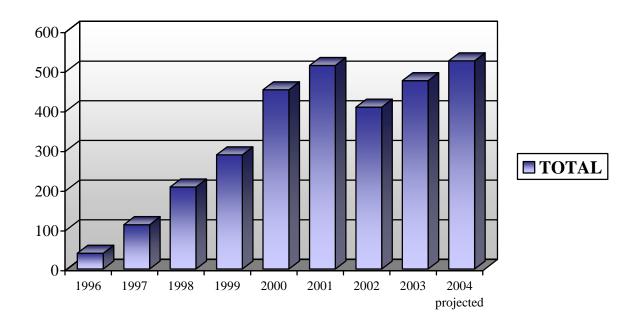
law enforcement agencies operating in the jurisdiction. To make drug courts succeed, full commitment to the collaborative process by this department as well as the other departments is essential. This continuing commitment is the best strategy to ensure a comprehensive, thriving and effective drug court program. The Offices of the Public Defender will remain fully committed to the operation of effective drug courts as long as the need exists.

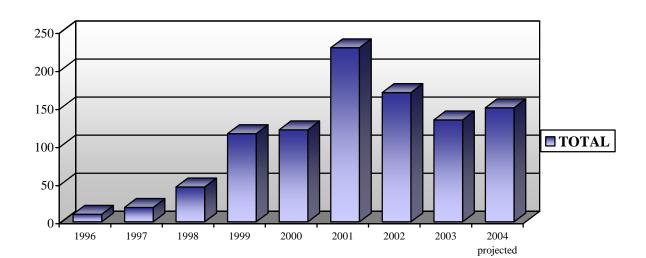
The department is working within this collective process to expand the criteria for determining eligibility and suitability for drug court. A revised Drug Court Standards Manual contains some changes along these lines with final approval pending before the Drug Court Oversight Committee.

#### **Program Statistics:**

The Public Defender's Office is one agency among several whose work contributes to drug court operations. Each agency contributes to the success of drug courts, but overall success is the result of the combined efforts of all. Factors relevant to measuring how well the overall drug court goals are being met can be examined. These include determining how many people participate in each drug court during each year and how many people graduate from each drug court during each year. The numbers of participants and graduates dropped initially after Proposition 36 went into effect, but are returning to pre-Proposition 36 levels, and drug courts at two locations are at or near maximum capacity as of the end of 2003.

#### TOTAL NUMBER OF DRUG COURT PARTICIPANTS AS OF JULY 1ST OF THE YEAR INDICATED





#### TOTAL NUMBER OF DRUG COURT GRADUATES DURING THE YEAR INDICATED

#### **Outcome Indicator Reporting:**

Proposition 36 and Drug Court cases are analyzed under the Public Defender Criminal Case Proficiency Index, the internal tool used to measure overall performance in a quantitative manner of all criminal cases handled in the office. Other performance evaluations of these cases use subjective criteria.

Performance	2003 Results	2004 Plan/	Year 2005	How are we
Measure		Anticipated	Plan	doing?
		Results		_
What:	Establish	Index Rating	Index Rating	On target
Proficiency	Index			
Index	baseline			
	rating number			

Why: This internal measurement incorporating the State Bar Guidelines, National Legal Aid and Defender Association Recommendations, and American Bar Association Guidelines allows monitoring of the quality of services provided in all cases by the Public Defender.

GOAL 4: Advocate the parental rights of clients by providing high quality legal representation in dependency cases.

#### Client Profile:

Clients in the Parental Rights Section (Dependency) are parents or occasionally other relatives who have had the Children and Family Services section of the Social Services Agency intervene in the family unit, and who face court action regarding placement of their children. The focus of the case is often a plan for family maintenance or reunification. Questions centered on a family in crisis are the predominant issues faced by the clients, and are frequently difficult emotionally.

#### Challenges:

When families have problems that result in court scrutiny, the Public Defender is appointed to represent the parents in court. The Public Defender's role is to advocate the parent's desires when the court is deciding what is in the best interests of the children. This advocacy usually occurs at a time of a breakdown in the family relationship and must deal with the functioning ability of the family in a time of emotional upheaval. Public Defender representation usually involves attempts to preserve the family unit and to work toward the healing of the family. This often requires not only lawyers advocating in the courtroom but staff geared to assist the client in securing the counseling and program participation necessary to effectively address the problems and thereby facilitate family reunification.

Maintenance or reunification plans are often detailed and demanding. Significant client contact and intervention by department staff is needed between court appearances to assist clients in completing court ordered case plans. This includes aiding clients with counseling, visitation, planning and interaction with social workers and county agencies. Staff resources for this important work are severely limited. As with the drug courts, advocacy in this area often involves assisting the client in working through the root problem that brought them before the court.

Office space in the Lamoreaux Justice Center building is inadequate until the authorized build-out of the department's undeveloped space is completed. The build-out was approved but deferred due to the county budget shortfall.

#### Resources:

The Trial Court Funding Act has made dependency cases specifically eligible for reimbursement for most County costs. The department will continue to ensure full cost recovery from State Trial Court Funding for the Dependency Program. The courts have been successful in obtaining funding for actual costs associated with Trial Court Funding. Due to the present fiscal concerns at the State level, the issue of increasing funding is uncertain for 2004-05. The department will remain within the MOU agreement regarding funding and will continue to seek full cost reimbursement.

#### Strategies:

The Public Defender had predicted growth in juvenile court operations and there is currently undeveloped space in the Public Defender offices in the Lamoreaux Justice Center. This space was left unfinished until needed for future growth. Last year funding was approved through the Capital Project Request process for the Public Defender to build-out this space, but the funding was frozen because of the State and County budget crisis. The transfer of court facilities from the counties to the state (SB 1732) has caused further delay of this build-out.

#### Parental Rights Strategies:

The Parental Rights Advocacy section operates in such a specialized area of the law that state guidelines have been instituted requiring certification of attorneys who practice in the Dependency Courts. This requirement guides the minimum training requirements for attorneys assigned to this section. Training also focuses on preparing staff to handle the emotional issues inherent in representing parents facing the potential loss of their children. Attorneys often employ experts, and specifically trained investigative staff, to help preserve the family unit and assist the client in completing court ordered case plans. Appellate advocacy is intense in this area and is required by case law such that appellate expert attorneys must be assigned specifically to this section.

#### **Outcome Indicator Reporting:**

Dependency cases are analyzed under the Public Defender Dependency Case Proficiency Index, used to measure overall performance in a quantitative manner. Other performance evaluations of these cases use subjective criteria.

Performance Measure	2003 Results	2004 Plan/ Anticipated Results	Year 2005 Plan	How are we doing?
What: Proficiency Index	Establish Index baseline rating number	Index Rating	Index Rating	On target

Why: This internal measurement incorporating the State Bar Guidelines, National Legal Aid and Defender Association Recommendations, and American Bar Association Guidelines allows monitoring of the quality of services provided in all cases by the Public Defender.

#### **IV. Conclusion:**

The Public Defender is committed to the successful completion of the department goals and the staff is dedicated to the work of defending the rights of the clients and of all residents of Orange County. The Offices of the Public Defender acknowledge the leadership of the Board of Supervisors and the commitment to the employees of the County family. The Public Defender would like to thank the CEO and his staff for their continuous support, guidance, and leadership throughout the business cycle.

#### V. Appendix

#### Key Management Team:

Deborah Kwast, Public Defender Thomas Havlena, Chief Deputy Public Defender Brian Ducker, Sr. Assistant Public Defender E. Robert Goss, Sr. Assistant Public Defender Sr. Assistant Pub. Defender [appointment pending] Mario Songco, Financial Analyst

Michael Giannini, Director Alternate Defender William Kelley, Director Associate Defender Becky Juliano, Administrative Manager Diana Hantsche, Human Resources Manager

On January 23, 2003, Carl Holmes retired as the Public Defender and in August, 2003, Deborah Kwast was appointed Public Defender as the result of an extensive statewide recruitment. The Public Defender leads the Management Team and oversees the three independent Offices of the Public Defender, Alternate Defender, and Associate Defender. The Management Team is responsible for the daily operations of the eight Public Defender locations throughout the County, Alternate Defender, and Associate Defender. Management responsibilities also include, but are not limited to, preparation of the budget and strategic financial plan, human resource functions, real estate acquisition and maintenance, purchasing and safety. The main objective of all of the Management Team is to ensure high quality legal representation of our clients.

#### Labor Management Committee (LMC):

The Offices of the Public Defender's Labor Management Committee is comprised of the following members:

Irene Acosta Judy Perry Aurora Brinshot Jorge Romero

Carla Calix Roxanna Santamaria Marri Derby Marialina Smith Sandra Hanson Patsy Vasquez Yesenia Venegas Diana Hantsche Thomas Havlena, Sponsor Kristin Widmann Becky Juliano, Team Leader Pamela Yeaw

Silvia Monteon

During 2003, the LMC collaboratively worked with the County to continue to formulate and to implement suggestions for cost savings.

#### **Business Plan Team:**

The Offices of the Public Defender's business plan team consists of the following:

**Brian Ducker** 

E. Robert Goss

Diana Hantsche

Thomas Havlena

**Becky Juliano** 

**Deborah Kwast** 

#### Accomplishments:

Among the significant accomplishments of the Offices of the Public Defender in 2003 are the following:

- A state-wide recruitment was conducted and a new Public Defender was appointed by the Board of Supervisors.
- The statistical data that is gathered from each of our offices was standardized thereby allowing more accurate case information to be obtained.
- In an effort to be more responsive to the needs and concerns of staff, managers have been conducting regularly scheduled meetings to discuss and implement suggestions and changes.
- The department's participation in the Proposition 36 and Drug Courts has assisted in helping an increased number of participants become productive, law abiding members of society.
- The Proposition 36 felony court team in which Public Defender attorneys participate has been recognized as the most successful in the state.
- The Public Defender intranet website is updated weekly with current information such as new developments in the law.
- The department participated in the development of the Orange County Outreach Court which is designed to assist the homeless population in Orange County.
- The development of the Investigative Case Management System has been completed and is being utilized by our Investigative staff.
- Telephone costs were reduced by the installation of 800 numbers at branch office locations which reduced the number of collect telephone calls from clients.
- To reduce the number of collect calls to the department, an agreement was negotiated with the Sheriff's Department and the telephone company for installation of telephones at the jails in Orange County that will allow clients to call Public Defender offices directly.
- Several managers participate on committees throughout the County which strengthens involvement in legal organizations and on County policy matters, to advance the interests of clients and staff.
- Clerical and supervisory staff in our Mental Health section greatly improved the process used to collect information for submission of reimbursement funds from the State.
- The department successfully utilized the "Vertical Defense of Indigents" grant from the Governor's Office of Criminal Justice Planning for the defense of clients prosecuted by the District Attorney's "Statutory Rape Vertical Prosecution Unit."
- Department managers participated on a Children's Services Coordination Committee designed to improve services for children.
- The department increased the amount of money contributed to the United Way during the County sponsored 2003 United Way campaign.
- Numerous Public Defender staff participated in the County Mentoring Program by volunteering time to work with the children at Pio Pico Elementary School.
- Jury instruction books were provided to all attorneys enabling them to become more effective and efficient in the representation of their clients.

- Additional informational databases for investigative staff were obtained enabling them to expand research capabilities and improve efficiency.
- Additional digital cameras and CD burners were obtained to enable all
  investigative staff to more effectively conduct investigations, and reduce costs by
  enabling photos to be stored on CD's and printed in-house. This resulted in a
  significant reduction in the amount of film purchased and the amount of traditional
  film processed.
- Created an IT program and database to help to quickly identify potential conflicts of interest in serious cases to avoid unnecessary expenditure of resources.
- Developed a "Preliminary Examination Handbook" manual to assist attorneys in providing effective representation at that critical stage of the felony criminal case process.
- The main unit of the Offices of the Public Defender was involved in litigation in an increased number of Capital Cases.
- The department collaborated with other agencies in the development of a Drug Court for parents of dependent children to provide treatment programs for parents and aid in the reunification of families.
- The ITT section conducted a Technology Fair for staff to demonstrate hardware and software capabilities.
- Developed additional recognition programs for non-attorney staff in an effort to keep morale at a high level.
- Established index baseline rating numbers for the department proficiency indexes.

#### The Organizational Structure:

The Offices of the Public Defender consist of three distinct and separate law offices. These are the Public Defender Office, the Alternate Defender Office, and the Associate Defender Office.

The Public Defender Office – The main unit is referred to as the Public Defender Office and is made up of several distinct sections. The main office is located 14 Civic Center Plaza, Santa Ana, with branch offices located in Fullerton (North Justice Center), Orange (Lamoreaux Justice Center), Santa Ana (Central Justice Center), Westminster (West Justice Center), and Newport Beach and Laguna Niguel (Harbor Justice Center). Attorneys and support staff work at each of these locations.

**The Alternate Defender Office** – The Alternate Defender unit is located in Santa Ana and handles the first level of conflict cases (except for cases arising in Juvenile Court). The Alternate Defender represents clients who, because of a conflict of interest, cannot be represented by the main unit, often because more than one defendant is charged.

**The Associate Defender Office** – The Associate Defender unit is located in Santa Ana and handles two or three complex cases (including capital cases) at one time. These are cases that, because of a conflict of interest, would previously have been handled by court-appointed private lawyers at greater cost than under the current system.

#### Facilities:

Public Defender facilities are located in the following County or leased facilities:

Office	Location	<u>Remarks</u>
Superior Court Office	14 Civic Center Plaza Santa Ana, California 92701	County-owned
Central Justice Center Office	600 W. Santa Ana Boulevard, Suite 111 Santa Ana, California 92701	Leased
Harbor Justice Center Office	4601 Jamboree Boulevard, Suite 101 Newport Beach, California 92660	County-owned
	(Newport Beach facility) 23560 Pacific Island Drive Laguna Niguel, California 92677 (Laguna Niguel facility)	County-owned
Lamoreaux Justice Center Office	341 City Drive, Suite 307 Orange, California 92868	County-owned
North Justice Center Office	1440 N. Harbor Boulevard 4th Floor Fullerton, California 92835	Leased
West Justice Center Office	14120 Beach Boulevard, Suite 200 Westminster, California 92683	Leased
Mental Health Office	600 W. Santa Ana Boulevard, Suite 600 Santa Ana, California 92701	Leased
Alternate Defender Office	600 W. Santa Ana Boulevard, Suite 600 Santa Ana, California 92701	Leased
Associate Defender Office	12 Civic Center Plaza, Room B-15 Santa Ana, California 92701	County-owned

#### Cities Served:

Public Defender Office:

• The **Central Justice Center** branch office serves clients whose cases arise in the cities of Santa Ana, Orange, Tustin and Villa Park.

- The **North Justice Center** branch office serves clients whose cases arise in Anaheim, Brea, Buena Park, Fullerton, La Habra, Placentia and Yorba Linda.
- The Harbor Justice Center branch office at the Newport Beach facility serves clients whose cases arise in the cities of Aliso Viejo, Costa Mesa, Irvine, Laguna Beach, Laguna Woods (Leisure World), Lake Forest (El Toro) and Newport Beach. The branch office at the Laguna Niguel facility serves clients whose cases arise in the cities of Dana Point, Laguna Hills, Laguna Niguel, Mission Viejo, Portola Hills, Rancho Santa Margarita, San Clemente and San Juan Capistrano, as well as clients with domestic violence cases arising anywhere in the jurisdiction of the Harbor Justice Center.
- The West Justice Center branch office serves clients whose cases arise Cypress, Fountain Valley, Garden Grove, Huntington Beach, La Palma, Leisure World, Los Alamitos, Rossmoor, Seal Beach, Stanton, and Westminster.

The Mental Health section, Parental Rights section, and Juvenile Court branch serve clients whose cases arise anywhere in Orange County.

The Alternate Defender and Associate Defender offices serve clients whose cases arise anywhere in Orange County.

The cities served will change as mandated by the manner in which the Superior Court ultimately decides to allocate criminal case jurisdiction when those cases are no longer brought in the Laguna Niguel branch of the Harbor Justice Center.

### Offices of the Public Defender

### 2004

# **Organization Chart**

